

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**STEADFAST INVESTMENT
PROPERTIES, INC., dba STEADFAST
COMPANIES, and ELLA SHAW
NEYLAND,**

Plaintiffs,

v.

**KATHERINE PAIGE KEATING, a/k/a
KATHERINE COSGROVE and
KATHERINE HARPER,**

Defendant.

Civil Action No. _____

COMPLAINT

Plaintiffs Steadfast Investment Properties, Inc. doing business as Steadfast Companies (“Steadfast”) and Ella Shaw Neyland (“Neyland”) by their attorneys, Dentons US LLP, as and for their Complaint against defendant Katherine Paige Keating a/k/a Katherine Cosgrove and Katherine Harper (“Keating”) allege as follows:

THE NATURE OF THE ACTION

1. This is an unfortunate case of a disturbed estranged-spouse, Katherine Keating (i.e., “Keating”) of a Steadfast officer and employee, Kevin J. Keating, making false and defamatory statements about Steadfast and its officers and employees, as part of an unhinged, irrational and baseless personal obsession and vendetta. Starting in 2016, but accelerating in May 2018 to present, Keating has been harassing Steadfast officers and employees primarily via e-mail and telephone calls, paying particular attention to Neyland. Moreover, in May or June 2018, Keating called a charity to which Steadfast has contributed and defamed Steadfast. Keating’s harassment and defamation consistently involves false accusations of fraud, money

laundering, embezzlement, and “death threats of suicide,” infidelity, and stalking among executive officers.

2. Keating’s husband, Kevin J. Keating, is currently the Chief Financial Officer of three publicly-traded real estate investment trusts (“REIT’s”) sponsored by Steadfast and was a party to divorce proceedings with Keating commenced in 2015 that are still pending as of the date of the filing of this Complaint. Since then, Keating seems to have formed a false idea in her mind that Neyland, President of affiliate Steadfast REITs, has had something to do with alienating and continuing to alienate Keating’s husband’s affections. Keating believes Steadfast and its officers and employees failed to act or are somehow complicit and she has targeted them accordingly. Meanwhile, her personal circumstances have declined. She has a warrant out for her arrest in California for driving under the influence and has moved to New York City apparently to avoid that arrest. Consistent with her new efforts to target third-parties with which Steadfast is affiliated, Keating’s misconduct has escalated and endured.

3. Through this Complaint, Steadfast seeks injunctive relief and damages as a result of Keating’s defamatory statements and harassment. It is imperative that Keating be deterred from further harassing Steadfast’s officers and employees and defaming Steadfast with third-parties. As set forth in greater detail below, Keating is acting with the purpose of damaging Steadfast’s business reputation and interests and negatively impacting Neyland’s life.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332(a) & (c)(1). There is complete diversity of citizenship between the parties and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

4. Venue is proper in this district under 28 U.S.C. § 1391(b) because Defendant Keating is a resident of New York State and/or because a substantial part of the events giving rise to the claims occurred in this district.

PARTIES

5. Steadfast Investment Properties, Inc. is a California corporation with its principal place of business in Irvine, California. Steadfast Companies is a group of integrated real estate investment, management and development companies founded in 1994. Steadfast Companies and its affiliates have developed into an integrated, multifaceted real estate investment management company that today owns and/or operates a diverse portfolio of more than \$5.4 billion across the United States and Mexico. Steadfast is driven by its mission to pursue real estate investment, development and management opportunities responsibly and with integrity for the benefit of its investors, partners, tenants, associates and the community.

6. Neyland is a natural person who resides at Corona Del Mar, California. Neyland serves as President and an affiliated director for Steadfast Apartment REIT III, Inc. Neyland also serves as President and an affiliated director of Steadfast Income REIT, Inc., positions she has held since October 2012, and serves as President and an affiliated director of Steadfast Apartment REIT, Inc., positions she has held since September 2013 and August 2013, respectively.

7. Defendant Keating is a natural person who, upon information and belief, resides at 1775 York Avenue, Apt. 35D, New York, NY 10128. Keating is the estranged spouse of Kevin J. Keating. Kevin J. Keating is currently the Chief Financial Officer of the REIT's and has been employed by them in varying capacities since 2011. Keating was a resident of California and upon information and belief moved permanently to New York State sometime

before June 7, 2018. Upon information and belief, Keating made the defamatory statements specified below from New York State.

FACTS

BACKGROUND ON KEATING'S OBSESSIONS AND HARASSMENT OF STEADFAST OFFICERS AND EMPLOYEES

8. Keating's harassment of Steadfast and various of its officers and employees began with the breakdown of her marriage, apparently falsely believing that Steadfast personnel somehow seduced her husband.

9. Kevin J. Keating joined Steadfast in January 2011, as Controller for affiliate Steadfast Income REIT, Inc. and has served in various roles within Steadfast's REIT group. Kevin J. Keating is still employed with Steadfast. Since November 2017, he serves as Chief Financial Officer of Steadfast's three REIT's.

10. During various times of their marriage, the Keatings resided in Orange County, California.

11. Katherine Keating filed a Petition for Dissolution of Marriage on September 25, 2015, with the Superior Court of California, County of Orange. According to the Petition, she and Kevin J. Keating were married on September 1, 1990. They separated on April 15, 2015, after nearly 25 years. Keating cited irreconcilable differences as the basis for divorce.

12. Upon information and belief, the divorce has not yet been finalized.

13. Upon information and belief, at some point between the Keatings' separation and the end of 2016, Katherine Keating began to lash out at Neyland with regard to Keating's domestic troubles.

14. On December 16, 2016, Keating emailed Neyland with the subject line "Happy Anniversary," stating in full: "Happy Anniversary Home Wrecking Harlot...next time, call your

husband. Your husband knows about you and doesn't want you, and why you have to seek and seduce the attention of the husbands of others. I saw you the other night, please do not follow me ever again or I will report you."

15. Upon information and belief, Keating's claims were completely baseless and solely a result of her own paranoia and personal issues.

16. In 2017, Keating's personal circumstances deteriorated further, which may have motivated her more recent harassment and slander in late 2017 and 2018 as she continued to pursue her obsession with Steadfast.

17. According to an arrest warrant executed on April 17, 2018, discussed further below, on June 6, 2017, Keating was cited by the Newport Beach Police Department for driving under the influence in her silver 2008 Mercedes CLK350. According to the charges, Keating had a blood alcohol level over 0.08 percent, the legal limit in California.

18. On December 11, 2017, Keating sent a sequence of six emails to Karen Walsh, a Steadfast employee and the administrative assistant for Neyland and for Kevin Keating, under the subject "DO NOT EVER HANG UP ON ME AGAIN STUPID UGLY TROUBLEMAKING BITCH".

19. The emails were in all-caps. Keating blamed Walsh for ruining her marriage and threatened that Walsh would be "HURT" if she did not "STOP TEXTING MY HUSBAND." Keating also repeatedly threatened Walsh that she would "BE SUED FOR INTERFERING WITH A LAWSUIT." Keating repeatedly called Walsh "STUPID" and "UGLY BITCH."

20. On April 18, 2018, the Honorable Judge Matthew S. Anderson of the Superior Court of California, County of Orange executed an arrest warrant for Keating for violations of Cal. Veh. Code § 23152(a) and (b). Section 23152(a) makes it "unlawful for a person who is

under the influence of any alcoholic beverage to drive a vehicle.” Section 23152(b) makes it “unlawful for a person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.” The warrant lists the offenses as misdemeanors and sets bail at \$15,000.

21. Upon information and belief, the warrant is still outstanding.

22. Upon information and belief, sometime before June 7, 2018, Keating moved to New York City where she has family and now resides 1775 York Avenue, Apt. 35D, New York, NY 10128. This move was likely motivated by a desire to avoid California and the threat of arrest.

23. Upon information and belief, from her new base in New York, Keating intensified her harassment of Neyland and Steadfast personnel and moved on to slander.

24. In her harassment and slander, Keating began to reference two irrelevant points that she must have researched online in order to falsely claim that Steadfast and its officers are engaged in fraud.

25. Neyland and her former husband previously owned a company, Santa Barbara Medical Innovations, LLC, a company that was subsequently sued by Primcogent Solutions, LLC (“Primcogent”). They sold the company sometime prior to 2013, when Neyland joined Steadfast. Neyland was not involved with Santa Barbara Medical Innovations, LLC at the time of the Primcogent lawsuit or settlement. In 2013, Primcogent filed for bankruptcy and in April 2017, was awarded \$18.3 million from an arbitration panel for being fraudulently induced into a licensing deal. *See* “\$18.3 Million Awarded in Dispute Over Medical Device Laser Deal,” PR Newswire (Apr. 4, 2017), <https://www.prnewswire.com/news-releases/183-million-awarded-in-dispute-over-medical-device-laser-deal-300434004.html>. As seen below, Keating falsely and

maliciously has insinuated that Neyland was involved with Primcogent (she never was) and that there was something nefarious about Primcogent, but it is unclear what she means.

26. Keating also references Trisha Michelle Chopin (“Chopin”). Chopin was a payroll administrator previously employed by Steadfast who was discovered in early 2015 to have made false entries to mask a \$1.2 million theft over seven years. Steadfast’s management learned of the scheme after two suspicious payroll notices and promptly fired Chopin. Chopin was then convicted on federal wire fraud charges. Keating falsely ascribes Chopin’s conduct to Steadfast, but it is immensely clear the theft was Chopin’s doing alone, as Chopin had stolen from her prior employer and even the next employer after her firing. Chopin used the money for personal expenses, including luxury vacations. *See* R. Scott Moxley, “Orange County Corporate Embezzler Sought Reduced Prison Punishment,” OC Weekly (Dec. 14, 2016), <https://www.ocweekly.com/orange-county-corporate-embezzler-sought-reduced-prison-punishment-7739351/>. Steadfast was a victim of Chopin’s. Keating is completely wrong to allege complicity.

27. In addition, Keating began to harass Neyland with insinuations of death and suicide. Keating falsely alleges that Steadfast and its personnel, Neyland in particular, are driving people to suicide and are therefore murderers.

28. On May 26, 2018, Neyland received a 30-second voice mail from Keating. Keating stated: “Yes, hello, I keep getting calls from this number and I’m not really sure why. But I would highly suggest that you leave married men alone and to look out. Think about Primcogent.”

29. Within minutes, Neyland received another two voicemails from Keating: (1) “It may help you to get another facelift you ugly old homewrecker. Leave married men alone.

Didn't your mother teach you that? Get another facelift and your husband may want you." And (2) "Time's up. Lights out. Get another facelift. Find another career. And leave married men alone. Time's up, old grandma. Get another facelift. No one wants you. The feds are after you. You think about that. You think about all those deals. Leave married men alone and stop calling my number."

30. On June 4, 2018, Keating left a voicemail for Neyland where Keating repeatedly insists there is no "death threat," explicitly threatens Neyland, vaguely accuses Neyland of wrongdoing, and shows that she is targeting Steadfast's organization:

So that we're clear, Madam Ella, there's no death threat. The time is up and the lights are out for you to leave married men alone. It's no death threat. It's a figure of speech. You say it all the time. Listen to yourself. There's no death threat. The only threat is that you need to leave married men alone. I don't think you know how to do that, but you have caused a lot of major problems and trouble like you do everywhere you go. Time's up for your whimsical ideas and hurting people. Innocent people that are just trying to live and make a living and tired of supporting you. There's no death threat. Get it straight. And you can tell Rod, Ana Marie and Dinish [sic]. So why don't you talk about Tracy Chopin and your Primcogent venture. There is no death threat, just wanting, uh, your organization to be the Christians that you say that you are. You're not acting like Christians. Death threat. You're a homewrecker. Leave married men alone. Homewrecker.

31. Keating's references to "Rod, Ana Marie and Dinish [sic]" likely refer to Rodney F. Emery, Steadfast Chairman and CEO, Ana Marie del Rio, Chief Legal Officer, and Dinesh Davar, Chief Financial Officer.

32. On June 5, 2018, Keating left a particularly disturbing voicemail for Neyland, now discussing deaths and suicide: "And so that you know and so that we are very clear, there aren't going to be any more deaths. No one else is going to kill themselves for you. Okay? There aren't going to be any more deaths. You are the death threat. Get it clear. There will be no one committing suicide for you. You can go jump off the building by yourself."

33. Keating focused on Steadfast and an internal investigation. On June 7, 2018, Keating left the following early morning rambling voicemail:

Oh yes and, uh, Madam Ella, forward this to your HR department to add to their investigation and forward this to Rodney Emery and Ana Marie and Dinish [sic] to add to their investigation. Tell them there are other families here involved. Okay? It's not just your family and it's not just the Emery family. There's other families involved here and other innocent people that have lost everything. And you have people there because of you, you, Madam Ella, that are threatening to kill themselves, okay? And it's within your company, your company there. You have an ongoing problem. You're an abuser. Rodney is an abuser. You better think about what you're doing. And no this is not a threat. This is no death threat. This is a statement here saying that you know you've got a lot of problems in that company and there are other families involved. And you've got a lot of really upset people here that have lost their lives because the people there in your company are greedy. You. There's no one here, you know, there's not going to be any more deaths. Okay? That's what you guys need to be investigating. Why people...look what's going on here, Madam Ella. Investigate that. There's no death threat. You are the death threat. Stop abusing people that are trying to help your company. You need to think about everything and you pass this along to your HR department and Rodney Emery who really needs to know. There's other families involved in here and other lives here and it's not worth dying for you or your greedy other...the greedy people there. There's other families involved and other lives. Investigate how many lives and families have been ruined because of your company and people dying. Investigate that!

34. Minutes later, Keating continued in another voicemail to implicate Steadfast's operations, often yelling into the phone and peaking the audio:

Yes and Madam Ella, also have investigated the fact that your real estate REIT organization there -- the insanity -- have that investigated. Yes, and I think you're familiar with the FBI and Trisha Chopin and the embezzlement there and your Primcogent project that you jumped ship on. There's no insanity here except for you, Madam Ella, your greed. And furthermore, get another facelift and go with your own husband. What happened to your husband Ella? Stop wrecking up everyone else's homes. You're a homewrecker! Everyone knows it. That's what needs to be investigated here. . . And yes, there is a formal federal prosecutor. There's no insanity and it's unfortunate that's what's needed here. Do you get it? There's not going to be any more death or destruction here for the greed of you and Rodney Emery and the other people. There's other families here involved. Families. You guys are a bunch of hypocrites and you say you're Christians. Have that investigated! You need to be investigated Madam Ella for what you've done to people's families and homes. You're a homewrecker! Go with your own husband. What happened to your own husband? Investigate that!

35. Again, minutes later, Keating continued in another voicemail, this time implying she may slander Steadfast with investors:

Also Madam Ella, have investigated the association between the Trisha Chopin FBI matter and the Primcogent matter...path of destruction that you left behind. The party's over! And also, FYI, there's some international investors and some other investors with pretty deep pockets. Deep pockets, okay? ...And they have no interest in you. No interest because you're a fraud. Do you get it? Have that investigated. There are no more lives. No one else is going to die for you. No one. Stop abusing people and stop being so greedy. There are other people and other families here. And that's what matters. Isn't that what you're...isn't that you're... the people first and families and tenants? You have families here that have helped you and Rodney and your company. And no, no one is dying no more. There aren't going to be any more deaths and loss of lives here. And so have that investigated. The party is over. Time is up. That's what's going on.

36. Immediately after, Keating called again and left the following voicemail with Neyland, accusing her of drug use:

Yes Madam Ella, last but not least, have Rodney Emery and Ana Marie and Dinish [sic] investigate you for your drug use. So add that onto the investigation. Have them test you for drugs. Cocaine. Look what you've done. Look at all the destruction you've caused. You think about that. You think about how many families' lives that you've ruined and how many homes you've wrecked and how many people have died. You're not worth it. Not at all.

37. Two hours later, Keating again left a voice message and more directly threatened Steadfast as a whole, falsely accusing it of being a fraudulent organization:

Oh yes and also forward this voice message and part of your investigation with your...I guess Kelly McCunniff--that's who we really should be talking to here--and Randall Ell because I don't Mr. Emery really knows what's going on as CEO because he's been defrauded by you and there's going to be an investigation of the business dealings in Mexico, okay? So you know and we're also going to talk about your hypocritical organization that you guys deal with--the veterans? Oh please, you gotta be kidding me. You have to be really -- you know -- really? Add this onto your investigation and let's talk with uh -- you guys are a joke. A joke. There's going to be a massive federal investigation about this company because you're nothing but a shell, a shell of hypocrites. And I guess you're a Christian organization? I'm hoping you have the fear of G-d right now. Make that a part of your investigation, Madam Ella.

38. Randall Ell and Kelly McCunniff joined Steadfast in Q4 2017 and Q1 2018, respectively, as Chief Operating Officer and Chief Administrative Officer, respectively.

39. Keating finished June 7, 2018 with another voicemail accusing Neyland and Steadfast of causing people's deaths and threatening Neyland and Steadfast if "any more deaths occur:"

Yes, and last, but not least, add this to your investigation and also forward this to Kelly McCunniff if he knows what's going on, is that if there's any more deaths, and I'm saying deaths -- because it has come to this point -- if there's any more deaths because of you and Steadfast Companies, you are going to be held liable Madam Ella, and Steadfast Companies will be held liable. Guaranteed and assured. Time is up. Time is up for your fraud, and your home-wrecking, and your path of destruction and death because of your greed. There are other people involved, there's other families and there's other lives. Investigate all that and I promise you if any more deaths occur because of your bullying and your greed and the other members of that organization you have there. You're going to be held liable. Remember that.

40. A few days later, on June 11, 2018, Keating left another voicemail with Neyland, more directly threatening Steadfast as a company:

Yes and hello Madam Ella. You are not going to get away with this and neither is Rodney Emery or Ana Marie or Dinesh. You have a serious, serious problem on your hands. You are a fraud and all the investors know about it. There is no one interested in you. Not in your non-traded bunk REIT that you're trying to start. You have a lot of death and destruction and no you are the insanity -- you. So you need to take your show somewhere else, somewhere else. Go to the brown palace where you belong. You're a fraud and everyone knows it. Need to check in on your manufacturing defect too. You're a homewrecker and you're not going to get away with it. You're not and you tell Rodney Emery that. Guaranteed. You cause a lot of problems and Dinesh has heart problems too. You are not worth it. Not at all. And no, this is no death threat. This is just saying this is over for you. Take your show somewhere else. Find another career. Go defraud someone else and go, uh, whatever you do with your marria-- you don't have any moral ethics at all, no moral compass, nothing. So it's gonna come back to you, don't worry. You're not going to get away with it and you pass that along to Rodney Emery or whoever it is over there. You're not going to survive.

41. On June 12, 2018, Keating called and left a voicemail for Ana Marie del Rio, Chief Legal Officer, directly:

Yes, good morning Ana Marie. Sorry I have to call you this morning, but we're having a really, really big problem with your newly appointed CFO for your other REIT or whatever is going on. So unfortunately I have to call you and let you know we have a very, very serious problem that is a private matter and it's gone up, unfortunately, escalating to a federal level. And you know Kevin's services and his time are needed

urgently for the past three years and this is not directed at you because I know what's happened there and I have to remove myself from all of that and I'm very, very sorry for what happened. But there's a really huge problem--I don't know if you know, but it shouldn't have ever, ever escalated to this level. You know, Kevin's very sick. He has a heart condition. He had a[n] organ transplant and he needs to go to the doctor. He's very sick and he's become -- no one know who he is. No one. It's out of control. And this is becoming a criminal matter. Again, I don't know what you're going to do with this, but this is a very urgent, critical situation here. I've tried to be very accommodating, but I can't do that because I have lifelong injuries from what he's done. Okay? So I just want to leave it at that and if you can help me in any way that you can I really, really appreciate it because I really feel what happened was wrong and I am a party to all this and I did not, all I know is that I'm being lied to among a lot of other things. This is 33 years of my life and I'm not doing this anymore. And no. So I think, you know, please if you can talk to your board there, because there's going to be no more deaths that's going to be happening. No one is going to die. There are no more deaths, okay? And I think you know that you have a fraud over there from the beginning with your president of the REITS. She's a big problem and she's a fraud and she is in accompaniment and associated with that embezzlement there with Trisha Chopin and her Primcogent lawsuit settlement with her fraud. So please investigate all that, but no, Kevin is needed desperately and we have a criminal and escalating up to a federal matter. So if you can help me in any way, Ana Marie, I'd desperately, really be grateful and really appreciative of your help, okay? If there's anything I can do to help you or whatever? I don't know how this is going to go, but this is wrong and Kevin is really needed just for a couple of days to get the information that he has to turn over to the authorities, okay? So thank you so much and I hope that everything is getting better and everything is okay because I'm not doing good at all and I'm about to have another stroke and die because of all of this and this is since that -- I don't know who she is -- but I'm glad you did not let her try to -- in the circle there on the board there and take, I don't know what's happened but she's a fraud. I don't know, but anyway thank you very, very much. Take good care. G-d bless. Bye.

42. On June 17, 2018, Keating left a series of voicemails with Neyland.

43. First, Keating falsely accused Neyland of fraud:

Happy Father's Day, Madam Ella. You better be careful with what kind of actions you're filing, and who you're filing them with, and who you have involved here because you're a fraud. Everyone knows it. And I have some people here. There's a person by the name of David, okay? You have a lot of angry people here. You are greedy and you are a fraud. And almost 20 million dollar settlement for your fraudulently inducing sales practices. You are going to be investigated; we now have Congress and we have some pretty very, very wealthy investors that are not interested in you. So I don't know what you're trying to file but yes Kevin is involved. So you better get your facts straight and don't jump off the building. You're threatening suicide because your deals don't go through and you're stalking me? Huh?! You better get it together woman because no one is going to die because of you. There is no death threat. You are the death threat. Don't jump off the

building and don't try to take someone else's spouse with you. Do it yourself alone! And take that with your investigation and file that and tell them that. Good luck to you.

44. Second, Keating called again, reaching a peak in anger and threats (as well as frankly deranged reasoning), threatening Neyland and Steadfast that they will "suffer the consequences:"

Yes this is the last message for you Madam Ella and I want to make sure this goes to all of your Human Resources department so they have the facts straight -- I guess Larry Ito - - okay, let him know, that Kevin is still legally married -- I am sorry to inform you of that Madam Ella. He is still legally married. And you know you are the home-wrecker. He has not filed -- he didn't file or pay any of the income taxes since you came into that company, okay? Coming from your Primcogent or whatever you have there -- I can't keep up with all of your disasters that you're trying to move around from in your fraud. Okay? No. Kevin was not getting a separation. I went for a mediation. I've been trying to divorce him for a very long time because he is a liar and a cheater just like you. He hasn't been the same. His mother even said it on his death bed and his brother about you. So no, he's still legally married and it started as a mediation that I guess Karen or you or someone -- whatever you guys come out flailing your arms, getting involved, and pushing [inaudible]... no business or no right doing. So now you're going to suffer the consequences! Stay out of everyone's business and stop defrauding everyone! And stop wrecking everyone's homes! And sit [?] around that! Figure out your own problems and jump off the building by yourself and file [?] that! Because now we have Congress involved. Get your lies...your facts straight. And don't believe what Kevin says. He's still legally married. Good luck to you.

45. Third, Keating then made a "last" message explaining that she was threatening to expose Steadfast and Neyland for fraud:

Oh yes, a correction, this will be the last message Madam Ella. I want to reiterate so that you don't misinterpret or take anything out of context as to say something is a death threat when it certainly isn't. "Tick tock" is for your fraud. "Lights out" is for your fraud. These are commonly used terms and certainly amongst the real estate industry that you're in. So I don't know why you would've, unless you're doing something wrong, which we all know. So please I will reiterate there's no death threat and certainly no engaging of any, I don't know, if you think anyone is going to try and hurt you or something. I mean certainly there is no one that would be worth anything like that and certainly not you. So this is about white collar, okay? So that's what we're talking about. So please get your business terms and get up to speed about what we're really talking about here. And stop abusing my husband. He's not doing well and neither am I because of you and your greed and your abuse and Rodney Emery's abuse. And you tell him I said that. Happy Father's Day. I don't have a father and I just lost my godfather in December and you know, you talk to Kevin about that. Safe travels. Good luck.

46. Neyland was scheduled to be traveling to a conference the week of this voicemail. Keating's mention of "safe travels" may indicate she was tracking Neyland's movements.

47. Keating's harassment then expanded to new Steadfast personnel.

48. On June 21, 2018, a Steadfast employee received a phone call from a woman who said "Rod's Nepal transactions are under federal investigation" and then hung up.

49. That same day, Keating left a heated voicemail for Kelly McCunniff: "Well, whoever is getting this message, I certainly hope you have your president Ella Neyland, Ella Shaw Neyland, under investigation. That's who you need to be investigating, Rodney Emery, Ana Marie del Rio, and Dinesh Davakar or Davar. Investigate your fraud and your main problem, Ella Shaw Neyland. That's your fraud and your problem. Leave Kevin alone and leave me alone, you greedy, greedy people!"

50. Another communication from Keating to Steadfast as of the filing of this Complaint was a voicemail for Kelly McCunniff on June 27, 2018. These communications reached a new level of hostility and irrationality. Keating begins yelling at the top of her voice at one point, which is depicted here in all-caps:

Whoever is getting these messages, get on the phone with a senior executive over at the Irvine Company, John Turner. Rodney Emery, Ana Marie del Rio, or Dinesh Davar, Ella Shaw Neylan is a fraud. And she needs to be fired and she is going to be investigated. She's a home-wrecker and professional one. Don't you know that Rodney? Get on the phone with John Turner about his son and what's happening here BECAUSE OF YOU GREEDY, GREEDY PEOPLE THAT DON'T CARE ABOUT ANYONE EXCEPT FOR YOURSELVES! YOU LIARS AND YOU THIEVES AND HYPOCRITES! AND IN THE END YOU MURDERERS! YEAH, THERE'S A REASON! YOU SAY THERE'S NO REASON? THERE IS A REASON SO LISTEN AND GET ON THE PHONE WITH JOHN TURNER! TELL HIM, TELL HIM ABOUT HIS SON PATRICK TURNER. TELL HIM THERE IS A REASON AND IT'S BECAUSE OF PEOPLE LIKE YOU!

51. Upon information and belief, in the above communication, Keating was referring to the suicide of a 16-year old boy in Orange County, California named Patrick Turner. The suicide gained local notoriety because the boy wrote out detailed explanations regarding his decision, ascribing his state of mind to the competitive culture and drive to succeed in school and in his community. This sad incident, however, had nothing to do with Steadfast or its employees. *See* David Whiting, “This 16-year-old’s suicide letters are a cry for help and a national call for change,” Orange County Register (Mar. 19, 2018), <https://www.ocregister.com/2018/03/19/this-16-year-olds-suicide-letters-are-a-cry-for-help-and-a-national-call-for-change/>. By referencing this incident, Keating accuses Steadfast and its personnel of driving people to suicide and thus of being murderers.

KEATING SLANDERS STEADFAST AND ITS OFFICERS

52. Steadfast has a close and valued relationship with Project Access, a charity that strives to be the leading provider of on-site health, education and employment services to low-income families, children and seniors. Its goal is to give low income families the tools needed to break the cycle of poverty, become healthier, further educated and financially stable.

53. Steadfast lists Project Access as one of its featured community outreach efforts on its website. *See* “Community Outreach Programs,” Steadfast Companies (last visited July 13, 2018), <http://www.steadfastcompanies.com/community-outreach/>.

54. Steadfast is informed and believes and based thereon alleges that during June, 2018, Keating called and left a series of voicemails for Dan Pittman, a service provider to Project Access, which calls Steadfast was made aware of on June 26, 2018. While related to her harassment of Steadfast, Keating was now contacting third parties with whom Steadfast has relationships in order to slander Steadfast.

55. The first voicemail directly, falsely, and maliciously alleged that Steadfast is engaged in money laundering and embezzlement, as well as having its “principals” engaging in extra-marital affairs, with one trying to kill his or her spouse. Keating also implies that there’s “more” she is not reporting:

Yes, hello. This message is for Dan Pittman. I was given your name as the director for Project Access Foundation. I wanted to anonymously report corruption and a lot of undercover, just a lot of activity with one of your major donors, Steadfast Companies, and the employees there. I don’t know if you’re aware, but there was an embezzlement over \$1 million and it’s in the courts with a Trisha Chopin employee. There was an embezzlement and that was about two years ago and there is also a couple of the principals there that are having extra-marital affairs and in fact, you know, actually, where, you know, one of them trying to kill their spouse. And its...you know, it’s really bad. So just want to enlighten you about a few things about this particular company that is, you know, it’s very bad. There’s a little bit more here and you need to be aware. And again this on an anonymous report here, but there is a lot of shady activity with this particular company, Steadfast Companies, that has several several entities and a lot of money laundering and that sort of thing. And then they try to, you know, say that they’re trying to help people, but that’s just a cover really. There’s a lot of shady activity going on, again. So you can look it up, it’s public information. Trisha Chopin is the one who did the embezzling as a former employee, payroll administrator. And again, there is a lot of money laundering going on with that particular organization, company, whatever you want to call it. And again, extra-marital. You need to know about this and just be careful. Be careful with those people. Be very, very [recording cuts off].

56. The second voicemail continued with the above, but now Keating falsely accuses Steadfast of “corruption,” money laundering, and withholding “medical care benefits”:

Yes, hello. This call is for Dan Pittman. This is another. This is an anonymous report here for one of your major donors, Steadfast Companies, reporting that more money laundering going on throughout the various entities there. There is corruption. There is...it’s...it’s...to where now people’s lives are being threatened. There’s another lawsuit settlement for embezzling that is attached to Trisha Chopin and it’s involving the president there at Steadfast Companies, one of the presidents there, of the REIT that is associated with Primcogent. So the timing on that with embezzling and money laundering and lives being threatened and medical care benefits being withheld and also extramarital affairs and corruption beyond belief that’s being covered up, standing behind the Church, and standing behind children’s foundations. So you need to be aware of the people you are accepting donations from because it is dirty money. Please check into this because it’s a very serious situation. And all this is public information and I’m very sorry I have to report this to you, so please take this and look into it and be very, very cautious. Thank you very much, Mr. Pittman.

57. The third voicemail elaborates on “death threats” that Keating falsely states as happening at Steadfast, while reiterating her false accusations of embezzlement, money laundering, and extramarital affairs:

Oh yes. This is a continuation from the anonymous tip reported before regarding Steadfast Companies regarding their embezzlement and money laundering that is continuing. And just to be clear and reiterate on the death threats made among the principals there that are having extramarital affairs in addition to all the money laundering. In particular, just to be clear, is the death threats are threats of suicide by the president there, Ella Neyland, making threats of suicide, she’s going to jump off the building, you know, acting hysterical. Really, you know, very, very inappropriate conduct. And I don’t think I need to continue more. But, uh, yeah, these are the death threats being made. And, again, money laundering. So I really think you need to check into this and just be aware of what’s going on and what you may not know. However, what I am telling you is public information. That is, it is public information. So Trisha Chopin, embezzlement of one and a half million dollars and now we have a Primcogent settlement lawsuit with Ella Neyland again, who is making these suicidal threats--and she’s going to jump off a building and bullying people if her deals don’t go through, and stalking, [inaudible]--it’s really bad. So anyway, you know, just please look into this and, uh, be careful. Thank you.

KEATING CONTINUES HER HARASSMENT

58. On the morning of August 8, 2018, Keating resumed her direct calls to Neyland. The primary subject of Keating’s call was now her husband and some unknown documents, although the allegations of fraud continued:

Good morning Ella! I need for you to kindly ask your employee, Kevin Keating, to retrieve and have the documents ready for November of last year and December of last year, pertaining to the matters that we’ve had to resolve because of you and your failure to disclose pending legal activity, and resulting in almost a \$20 million lawsuit and your \$1.5 million embezzlement by Trish Tobin, that has affected me greatly. And, no, he doesn’t have to apologize to you. There’s no apology, and you’re not, I mean you can dress him down all you want because that’s what you’ve done, but there’s no dress down here. There is no dress down. I don’t know what you’ve done to him, but no, I need, no, he’s still legally married. And I need those documents and all of the notes and any other information pertaining to November and December of last year. And he will know what I am talking about. But I need to inform you that, no, this, I come first. This is first on his list, not you. This is a legal matter and it’s, this is very important, this is life and death. I don’t know many other people you’ve done this to, or if you’ve tried to commit suicide

lately, or if you've tried to jump off the building or whatever you do. But, yeah, this is no longer and no more, you are wrong, Ella Neyland, you're wrong, and you're a fraud. But you tell your employee, Kevin Keating, that I want these documents by Friday, deadline, all right? No apology and no dress down here. You can dress him down like you have, but there's no apology. So please, if you can make sure that's done because he's your employee, that you had a job for from what I understand, but actually he had a job for you so whatever you guys have going on, I want my documents. And I want everything cleared up and it's going to be cleared up. Have a great day. Thank you.

59. Keating left another call to Neyland that morning. Keating continued her obsession over her husband and possibly her divorce, but continued to accuse Neyland of fraud. She also implied there would be a death of some kind.

Yes, and Ella Neyland, yes. There's no reason for you to call the police. It's not a threatening phone call. This is what is needed so that Kevin, your employee, can be more effective. Kevin has matters at home to take care of that, that come first. That, I mean, that's usually the order, how it goes, okay? So, no, this is not a threatening phone call. All I am needing is the documents and what, and, you know, pertaining to November and December. Kevin knows this, so that we can have this stopped, okay? Because this is going to stop and cease. That is it, okay? Because, this is no longer, it wasn't acceptable when you were trying to kill yourself and jump off the building, because you were being pressured and you couldn't get your deal, and you were following people and stalking people, okay? I have all of this, and these, and yes, so December 16th, you know, but there're some things that have gone on, I don't know if you know or not, but, yes, family comes first, and Kevin has, has matters that he has to take care of, before anything else can, can go on here, okay? And then he can become much more effective for you. But this is going to stop. I need my Documents and I need whatever, you know, we can have from your employee there, to have this stop and cease. I'd really appreciate it, and no, it's not a threatening phone call. You started, you started a really big problem because of your greed and because of your, your mental illness, that Kevin brought home and he was very, very concerned about you. I was concerned about you, but what I learned about you is really horrible, that what kind of a, what kind of a person you are. And also Kevin was very concerned about his employee, Amelia. You guys have a lot of internal problems there and a lot of it started when you, when you came. Seven. I will never forget it, okay? So, he is your employee, but this has to stop, okay? Because there is going to be a death of some kind, not where it's malicious or killing, I mean, maybe you, but, you know, you have serious problems and I really hope that you are, you are seeking help in getting treatment for what you've done to many families, lives, companies, because you're a fraud. And it's, it's public information. It is public information, Ella Neyland, all right? So, hey, please let's just, you know, it's supposed to be as peaceful and amicable, fair and equitable, and I hope that you can understand those terms and that

jargon, all right? So, please have your employee, Kevin Keating, get these documents and by Friday, that is it, that is the deadline. I've waited long enough, and there's not going to be any more deaths. No, because I have seri, you know, and with the medical insurance, whoever you need to talk to, I don't know because ultimately Kevin is your employee, and you, you started all of this with him. He cannot be reasoned with or rationalized with since you came to, to Newport Beach where he actually had a job for you, all right? I mean, Kevin come, I mean, you know, come on. So please, please, just, you know, stop, stop all the drama, stop, just stop. And please don't go jumping off the building, don't do this, okay, Ella. I mean, seriously. Okay, so family comes first, and he still has those matters to take care of, so if you could please allow that, just please allow that and there's no dress down, no apology. There's a deadline on Friday. Thank you.

60. On August 18, 2018, Keating left seven particularly unhinged and aggressive calls for Neyland. They accuse Neyland of fraud, "home-wrecking," murder, suicidal tendencies, mental illness, tax evasion, etc. All of the calls are transcribed here, with capital letters to depict particularly loud yelling:

[Call 1:] Happy anniversary you old, ugly, professional, home-wrecking, fraudulent, fucking bitch! Happy anniversary, you fucking murderer, BITCH! Take your fucking building back to Texas with you, FRAUDULENT, FUCKING HOME-WRECKING BITCH, HAPPY ANNIVERSARY UGLY, NASTY BITCH!

[Call 2:] I'm sure this is not the first call you've received like this, you fucking professional homewrecker, fucking fraudulent bitch! And it won't be the last. WHERE'S YOUR HUSBAND, WHERE'S YOUR HUSBAND, YOU FUCKING BITCH, WHERE'S YOUR HUSBAND? STOP, STOP HOME-WRECKING AND FUCKING EVERYONE ELSE'S HUSBAND, YOU FUCKING OLD, NASTY, UGLY BITCH!

[Call 3:] I hope you haven't tried to jump off any roof lately, you fucking bitch! Or to take any of your employees with you, because you DON'T GET YOUR DEAL, YOU FUCKING NASTY, SUICIDAL BITCH! The psychiatrist people are looking for you, you NASTY, SUICIDAL, GREEDY, [unintelligible], FUCKING UGLY BITCH! HOMEWRECKER BITCH! DON'T JUMP OFF ANY ROOF YOU FUCKING BITCH, YOU SUICIDAL, GREEDY, NASTY, FRAUDULENT, HOME-WRECKING, SUICIDAL, STUPID, FUCKING UGLY BITCH, GO FUCK YOURSELF LIKE YOU NORMALLY DO, YOU FUCKING UGLY BITCH! DON'T JUMP OFF THE ROOF, AND DON'T TAKE ANY MORE EMPLOYEES WITH YOU. YOU NASTY, GREEDY, UGLY, STUPID, SUICIDAL BITCH!

[Call 4:] DID YOU PAY YOUR TAXES? DID YOU PAY YOUR TAXES? OR DID YOU GO AND GET A FACE LIFT WITH YOUR FUCKING TAX DEBT? DID YOU GET A FACE LIFT WITH, WITH YOUR, YOUR TAX DEBT MONEY? HUH? DID YOU GET A FACE LIFT? OR DID YOU TRY TO COMMIT SUICIDE? DID YOU PAY YOUR TAXES, YOU FUCKING UGLY, SUICIDAL, FUCKING HOMEWRECKER BITCH? DID YOU PAY YOUR TAXES OR DID YOU GET A GODDAMN FACE LIFT YOU FUCKING UGLY, SUICIDAL BITCH?

[Call 5:] Oh, you sound a little uptight on your voicemail greeting. When is your next dress down, and can I attend? Will Rodney Emory be there as well? And are you going to threaten to jump off the roof and commit suicide if you don't get your deal, and you don't get your way? YOU DRESSED DOWN, UGLY, SUICIDAL BITCH. WHO THE HELL DO YOU THINK YOU ARE? WHO IN THE HELL DO YOU THINK YOU ARE, YOU GREEDY, NASTY, FRAUDULENT, HOMEWRECKER, UGLY BITCH? WHO THE HELL DO YOU THINK YOU ARE? WHEN IS YOUR NEXT DRESS DOWN AND WHEN ARE YOU GOING TO THREATEN TO JUMP OFF THE ROOF AND COMMIT SUICIDE, YOU UGLY, NASTY BITCH, HOMEWRECKER BITCH? WHEN IS IT? WHEN IS YOUR NEXT DRESS DOWN? WHEN IS IT BITCH! AND CAN I ATTEND? AND WILL YOU BE THREATENING TO JUMP OFF THE ROOF? IS THAT PART OF YOUR ASS? IS THAT PART OF YOUR ASS, YOU UGLY BITCH?

[Call 6:] This, this, this battle is not over. I am going to make sure that you see all the, the Bible references that are marked and dog-tagged in my childhood Bible by my husband when you came onboard with your threats of suicide and jumping off the building, and your abuse. Is there gonna be a dress down? No, there's not. The only dress down is when you bend over and put your ass in married men's face, and seduce married men and fuck them for money, you fucking whore. Did you get your deal? Did you get your deal? Who are you bending over for now? Who are you dressing down for now? I want you to know that you caused so many problems and you are not going to win this. No you're not. DRESS DOWN FOR SOMEONE ELSE, FOR YOUR OWN HUSBAND. AND PAY YOUR TAXES INSTEAD OF GETTING A FACE LIFT YOU UGLY BITCH.

[Call 7:] Well try not to get too choked up, listen to your voice greeting. And if you have high blood pressure, or are going to have a heart attack, because of what you did to my husband and to our family with your abuse, don't come here. Do you remember saying those words to my husband? DO YOU REMEMBER? HAPPY ANNIVERSARY, DON'T COME HERE IF YOU HAVE A HEART ATTACK. EAT YOUR OWN WORDS, AND EAT CROW, BITCH!

61. The continued harassment and Keating's mention that "this battle is not over"

convinced Steadfast and Neyland to resort to legal process here.

THE IMPORTANCE OF STEADFAST'S REPUTATION IN THE COMMUNITY

62. Steadfast holds its public reputation in the highest regard. Steadfast, its officers, and its affiliates hold fiduciary responsibilities as advisors, investors, and managers in private and publicly listed companies, including REITs. Steadfast also has a charitable foundation that provides extensive support to local charities and has a fiduciary responsibility to its contributors.

63. Steadfast and its affiliates directly rely on their reputation of good faith and trustworthiness and in order to operate and sell financial products in the market.

64. Steadfast's charitable activities are an integral part of Steadfast's five Core Values, which are integral to how Steadfast markets itself — Proceed with Integrity, Value People, Embrace Opportunities, Pursue Excellence and Do Good as We Do Well. These values have been the cornerstone upon which the company has built a 20-year track record focused on capitalizing on real estate investment opportunities for its own account and on behalf of institutional partners. Steadfast's investment philosophy and Core Values have allowed it to develop strong relationships with lending institutions, national tenants, institutional investors and industry partners.

65. Guided by its corporate mission and core values, Steadfast is a loyal supporter of numerous community-outreach organizations that provide a diverse range of housing and social services to the children and families residing in the communities in which it does business.

66. By contacting Project Access and escalating her harassment to false accusations to third party partners, Keating directly targets Steadfast's business reputation and endangers Steadfast's fundamental business model carefully built over 20 years.

67. Therefore, Steadfast has filed this action in order to punish Keating for her actions and deter her from continuing her pattern of harassment and slander.

68. Keating does not seem to be operating rationally and may be experiencing mental health issues. Court action may be the only route for Steadfast to protect itself and its personnel from Keating.

FIRST CAUSE OF ACTION
(Defamation *Per Se* against Keating)

69. Steadfast and Neyland repeat and reallege each and every allegation in paragraphs 1–68 set forth above as if fully set forth herein.

70. Keating’s statements to Project Access that Steadfast, Neyland, and other personnel are engaging or had engaged in crimes such as money laundering, embezzlement, corruption, extramarital affairs, death threats, threatening suicide, withholding medical benefits, and “shady activity” were false statements of fact.

71. Keating’s false statements were made with actual malice, reckless disregard for the truth, and/or negligence with respect to the falsity of the statements.

72. Keating’s false statements were made with the malicious intent of damaging Steadfast and Neyland’s reputations and interests.

73. The falsity of Keating’s statements has caused injury to Steadfast and Neyland’s reputations in general, as well as in the industry and marketplace and to their business interests.

74. As a result of Keating’s false and defamatory statements, as specified above, Steadfast and Neyland are entitled to actual damages in an amount to be determined at trial, but believed to be no less than \$100,000.

75. As Keating acted with conscious and deliberate disregard of Steadfast and Neyland’s rights and with the malicious intent to cause harm to Steadfast and Neyland, Steadfast and Neyland are entitled to punitive damages in an amount to be determined at trial, but no less than \$100,000.

SECOND CAUSE OF ACTION

(Intentional Infliction of Emotional Distress against Keating)

76. Steadfast and Neyland repeat and reallege each and every allegation in paragraphs 1–75 set forth above as if fully set forth herein.

77. Keating intentionally and/or recklessly has engaged in a pattern of harassment toward Neyland by e-mail and phone calls. Keating routinely yells at Neyland in messages and accuses her of fraud, “homewrecking,” driving people to suicide or threatening to do so, and various other things. Keating also calls other Steadfast and non-Steadfast employees regarding same.

78. Keating’s conduct is extreme and outrageous.

79. Through her conduct, Keating intends to cause severe emotional distress to Neyland as evidenced by her course of harassment and threats.

80. As a direct result of Keating’s course of harassment, Neyland has suffered severe emotional distress. She has had to endure random threats and unhinged harassment for many months, unable to tell when Keating will resume her conduct and how it will escalate. Keating’s continued mentions of violence and death have particularly concerned Neyland. This has impacted Neyland’s work life and personal life and must stop.

81. As a result of Keating’s harassment, Steadfast has also been forced to expend legal fees and private investigator fees.

THIRD CAUSE OF ACTION

(Stalking against Keating Under California Law)

82. Steadfast and Neyland repeat and reallege each and every allegation in paragraphs 1–81 set forth above as if fully set forth herein.

83. Keating engaged in a pattern of conduct the intent of which was to alarm and harass Neyland.

84. Neyland has feared for her safety and suffered substantial emotional distress.

85. A reasonable person would suffer substantial emotional distress from Keating's pattern of harassment.

86. Keating has made a credible threat with the intent to place Neyland in reasonable fear for her safety or with reckless disregard. She has threatened Neyland with talk of violence and suicide.

87. Steadfast and Neyland's attorneys have attempted to contact Keating to demand she cease her harassment. Upon information and belief, this message was conveyed through Keating's husband.

88. Alternatively, it would be futile and impractical for Neyland to demand Keating cease her conduct. Neyland answering a call would only encourage Keating in her conduct and Keating has already represented in some of her calls that she understands Neyland and Steadfast desire for her to cease her conduct.

89. As a result of Keating's stalking, as specified above, Neyland is entitled to special damages in an amount to be determined at trial.

90. As Keating acted with conscious and deliberate disregard of Neyland's rights and with the malicious intent to cause harm to Neyland, Neyland is entitled to punitive damages in an amount to be determined at trial, but no less than \$100,000.

FOURTH CAUSE OF ACTION
(Harassment against Keating Under California Law)

91. Steadfast and Neyland repeat and reallege each and every allegation in paragraphs 1–90 set forth above as if fully set forth herein.

92. Keating has demonstrated a credible threat of violence to Neyland and/or has engaged in a knowing and willful course of conduct directed at Neyland that seriously alarms, annoys, and/or harasses Neyland, and that serves no legitimate purpose.

93. Specifically, Keating has engaged in a pattern of harassment toward Neyland by e-mail and phone calls. Keating routinely yells at Neyland in messages and accuses her of fraud, “homewrecking,” driving people to suicide or threatening to do so, and various other things. Keating also calls other Steadfast and non-Steadfast employees regarding same.

94. As a direct result of Keating’s harassment, Neyland has suffered severe emotional distress. She has had to endure random threats and unhinged harassment for many months, unable to tell when Keating will resume her conduct and how it will escalate. Keating’s continued mentions of violence and death have particularly concerned Neyland. This has impacted Neyland’s work life and personal life and must stop.

95. A reasonable person would suffer substantial emotional distress from Keating’s pattern of harassment.

96. As a result of Keating’s harassment, Neyland is entitled to injunctive relief and/or a restraining order.

FIFTH CAUSE OF ACTION
(For Injunctive Relief against Keating)

97. Steadfast and Neyland repeat and reallege each and every allegation in paragraphs 1–96 set forth above as if fully set forth herein.

98. Steadfast and Neyland will each likely suffer irreparable injury if Keating does not cease in her slander and harassment. Keating has established that she is intent on harassing and impugning Steadfast, Neyland, and other officers and employees and that she will only escalate in her campaign against them.

99. Injunctive relief is necessary to prevent further emotional distress to Neyland and to enforce her rights to be free from Keating's harassment.

100. Furthermore, absent intervention, Keating will contact other Steadfast partners and these communications may be unknown to Steadfast, Neyland, and other officers and employees. This harm is irreparable because it cannot be measured and Steadfast, Neyland, and other officers and employees cannot be adequately compensated for the losses.

101. There is no adequate remedy at law. Keating is an individual in precarious personal circumstances, including having a warrant out for her arrest. Money damages are not adequate to deter her pattern of slander and harassment.

102. There is a substantial likelihood that Steadfast and Neyland will succeed on the merits of this case. For the numerous reasons previously discussed, Keating has willfully and clearly committed defamation *per se* and engaged in a pattern of clear and repetitive harassment that must be deterred.

103. The balance of hardships favors Steadfast and Neyland. Keating has no legitimate interest in her statements. Her motive is entirely to maliciously harass and impugn the reputations of Steadfast, Neyland, and Steadfast's officers and employees. In contrast, Steadfast, Neyland, and Steadfast's officers and employees rely on their business reputations.

104. Injunctive relief would have no adverse effect on the public interest as there is nothing of legitimate substance in Keating's harassing and defamatory communications. Granting relief would beneficially result in Steadfast, Neyland, and Steadfast's officers and employees carrying on their lives and business without undue obstacles and abuse.

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RELIEF REQUESTED

WHEREFORE, plaintiffs Steadfast and Neyland respectfully request the Court to grant the following relief against the defendant:

(a) Entering a preliminary injunction as follows:

(1) Prohibiting Keating from contacting in any manner Neyland and Steadfast officers, directors, employees, affiliates, or shareholders;

(2) Prohibiting Keating from knowingly contacting in any manner parties who have close personal or business relationships with Neyland, Steadfast or its affiliates.

(b) Awarding Steadfast and Neyland injunctive relief and compensatory damages against Keating in an amount to be determined at trial;

(c) Awarding Steadfast and Neyland punitive damages against Keating in an amount to be determined at trial;

(d) Awarding Neyland a protective order against Keating;

(d) Awarding Steadfast its reasonable attorney's fees and costs; and

(e) Granting such other and further relief as the Court deems just and proper.

Dated: August 27, 2018
New York, New York

DENTONS US LLP

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